

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

<p>RUTH ESPERANCE,</p> <p>Plaintiff,</p> <p>v.</p> <p>THOMAS J. VILSACK, Secretary of Agriculture, U.S. Department of Agriculture,</p> <p>Defendant.</p>	<p>5:20-cv-05055-LLP</p> <p>DECLARATION OF JAMIE BARNES</p>
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Pursuant to 28 U.S.C. § 1746, I, Jamie Barnes, hereby declare as follows:

1. I am currently employed as a Human Resource Specialist with the United States Department of Health and Human Services. I have held this position since December 2020.
2. I was previously employed as a Lead Human Resource Specialist for the United States Forest Service for Region 2 and worked in the regional office located in Lakewood, CO. I served in this position from November 2019 to December 2020. The United States Forest Service is a federal agency under the United States Department of Agriculture.
3. I was a witness for the Plaintiff in the matter of *Esperance v. Thomas J. Vilsack*, 20-cv-0500-LLP.
4. Prior to trial, Assistant United States Attorney Michael S. Hofmann advised me of the Court's ruling excluding evidence of other reassignments by Regional Forester Brian Ferebee.
5. On the night before my testimony, I had a one-hour telephone conference with Plaintiff's legal counsel, Daniel K. Gebhardt.
6. During my discussion with Mr. Gebhardt, I mentioned the Court's ruling excluding


evidence of other reassignments by Mr. Ferebee. In response, Mr. Gebhardt stated, “you can tip toe into that area and see how far you get” and force opposing counsel to object.

7. Mr. Gebhardt also stated the Court’s ruling did not mean that I could not mention “other things” regarding Mr. Ferebee.

8. In the line of questioning regarding my general impression while working at Region 2 U.S. Forest Service, my testimony that I observed “trends of discrimination against females within Region 2” was based on observations and complaints by other employees regarding their treatment by Mr. Ferebee.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated this 6th day of November, 2023.


Jamie Barnes